



# **MINUTES OF THE COMMON COUNCIL**

**TUESDAY, MARCH 3, 2015, 7:00 P.M.**

**COUNCIL CHAMBERS**

**ROOM 203, CITY HALL**

Roll call: Mayor James J. Schmitt, City Clerk Kris A. Teske, City Attorney James Mueller. Alderpersons: Thomas DeWane, A. Nicholson, Tim DeWane, D. Nennig, J. Moore, R. Scannell, C. Wery, G. Zima, M. Steuer, T. Sladek. Excused: B. Danzinger for Military Duty. Tardy: J. Wiezbiskie.

Pledge of Allegiance.

Mayor Schmitt led the invocation.

Moved by Ald. Nicholson, seconded by Ald. Tim DeWane to approve the minutes of the February 16, 2015, meeting. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to act on the Bonding Resolution after late communication. Motion carried. Moved by Ald. Scannell, seconded by Ald. Moore to approve the agenda as amended. Motion carried.

## **REPORT BY THE MAYOR**

The Mayor reminded everyone that the 61st CP Telethon will be on March 7 & 8; there will be a St. Patrick's Day Parade on March 14 and Leonardo da Vinci School will be having a Pi Run on March 14. The next Council Meeting will be on Monday, March 16.

## **PUBLIC HEARING**

General Ordinance No. 5-15

An ordinance amending Chapter 13-904 of the Code regarding outdoor storage and display in the Business Park (BP) District (Amending General Ordinance No. 16-14).

No one appeared.

Moved by Ald. Moore, seconded by Ald. Scannell to suspend the rules for the purpose of adopting the ordinance. Motion carried.

## **PETITIONS & COMMUNICATIONS**

### **ADVISORY COMMITTEE**

Request by Ald. Zima, on behalf of himself and the residents of Green Bay, that the voice messages of Mayor James Schmitt be removed from the city phone system while persons are on hold when waiting for service from City departments.

### **FINANCE COMMITTEE**

Request by Ald. Tim DeWane to direct staff to draft an amendment to the Animal Service Agreement Contract with language that on the eighth day Bay Area Humane Society has first rights to all stray animals held at Packerland Veterinary.

### **IMPROVEMENT & SERVICE COMMITTEE**

Applications for Concrete Sidewalk Builder's Licenses by the following:

- A. Jim Fischer, Inc.
- B. Holtger Bros., Inc.
- C. Martell Construction, Inc.
- D. Delrar, Inc.
- E. Baeten Concrete, LLC.
- F. Howard Immel, Inc.

Applications for Tree & Brush Trimmer Licenses by the following:

- A. Beaver Tree Specialists
- B. Big Boy's Landscape & Snow Services
- C. Yesterday's Trees
- D. Asplundh Tree Expert Co.

## PROTECTION & WELFARE COMMITTEE

Request by the owners of Pearly Gates, 3551 Finger Road, to hold an outdoor event on July 11 and to allow music until midnight.

Notice of the change of agent for El Patron Entertainment, LLC at 1464 University Avenue.

Appeal by William Daniels III to the denial of his Public Vehicle Operator License application.

Appeal by Timothy Lafferty Jr. to the denial of his Operator License application.

Request by Tim DeWane to review and discuss the noise ordinance as it relates to snow removal, with possible action.

## TRAFFIC COMMISSION

Request by Ald. Sladek to discuss, with possible action, improving the safety of pedestrians crossing W. Mason Street at LaCount Road.

Moved by Ald. Scannell, seconded by Ald. Tim DeWane to refer the petitions & communications to the appropriate Committee or Commission. Motion carried.

## REPORTS FOR COUNCIL ACTION

### **REPORT OF THE ADVISORY COMMITTEE March 3, 2015**

The members of the Advisory Committee, having met on Thursday, February 19, 2015, considered all matters on its agenda and wish to report and recommend the following:

1. To receive and place on file **#A.** and **#B.** and **#C.** of Ald. Tim DeWane's request to consider: a. Terminating our animal contract with Packerland Veterinary Clinic and b. Awarding the animal contract back to Bay Area Humane Society and c. Contracting out our Animal Control division.
2. To hold Ald. Zima's request to review the rental housing market until the next Advisory Committee meeting.
3. To hold Ald. Zima's request to review rules regarding autonomy of the RDA until the next Advisory Committee meeting.

4. To receive and place on file Ald. Zima's request to review rules regarding minutes and actions taken by the Common Council in closed session.
5. To refer to staff to research how many members Council can have on RDA and EDA and to bring this back to the Advisory Committee.
6. To refer to the IT Department for a cost and feasibility study Ald. Zima's request that the City video tape all meetings of the City (including closed sessions) and that those recordings be kept as a permanent record for historical reference by the City Clerk.
7. To approve Ald. Zima's request that the President of the Common Council, with input from the Vice President, be allowed to appoint members of all standing committees of the Common Council.
8. To approve Ald. Zima's request to prohibit the use of cell phones for calls or texting while City vehicles are in motion, with the exception of emergency vehicles, under emergency conditions.
9. To refer to the IT Department for a feasibility and cost study, the request by Ald. Wery to consider recording all City committees and commissions and airing them on the newly acquired public access channel.
10. To receive and place on file the request by Ald. Zima that the Advisory Committee review for possible action the subject of Traffic Commission Reports.
11. To approve Ald. Wery's request to reformat the City Council page on the City website to include years of service, committees served on, chair and vice chair of the committees and a brief bio of the aldermen. Alders to provide a bio.
12. To refer to Ald. Zima's request to review the policy regarding storage of garbage and recycling carts to I&S, to review the provisions of the garbage can ordinance.

Moved by Ald. Nicholson, seconded by Ald. Scannell to adopt the report with the exception of Items #7, #1C and #11. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt Item #7.

Moved by Ald. Scannell, seconded by Ald. Moore to receive Item #7 and place it on file.

Moved by Ald. Thomas DeWane, seconded by Ald. Sladek to refer Item #7 back to the Advisory Committee.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nennig, Moore, Scannell, Steuer, Sladek. Noes: Nicholson, Tim DeWane, Wery, Zima. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to adopt Item #1C.

Common Council 3-3-15

Ald. Thomas DeWane stated that the Common Council is appreciative of Sharon Hensen, Humane Officer.

A vote was then taken on the motion to adopt Item #1C. Motion carried.

Moved by Ald. Moore, seconded by Ald. Tim DeWane to adopt Item #11.

Moved by Ald. Scannell, seconded by Ald. Nennig to refer Item #11 back.

Ald. Scannell withdrew his motion to refer.

Moved by Ald. Scannell, seconded by Ald. Steuer to add "not to exceed 100 words for the bio." Motion failed.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to adopt Item #11. Motion carried.

## **REPORT OF THE FINANCE COMMITTEE MARCH 3, 2015**

The Finance Committee, having met on Monday, February 23, 2015 considered all matters on its agenda and wishes to report and recommends the following:

1. To approve the request by the Assessor's office to cancel certain real and personal property tax bills.
2. To receive and place on file the request by Ald. Nicholson to review and discuss warranty issues the City is having with the new Dodge Charger police squads, including dollar value of warranty work, age of the vehicles and history of why the City moved to the Dodge Chargers.
3. To approve the request by the Fire Chief to purchase replacement records management and inspection software not to exceed \$100,000. Staff to review 2015 Budget for available funds before including in the City's 2015 bonding request
4. To approve the request to award the purchase of twelve 2015 Police Squad Cars from Chrysler World for \$316,560.
5. To approve the request to award the purchase of three Philips HeartStart MRx Cardiac Monitors/Defibrillators to SOS Technologies for \$64,248.
6. To receive and place on file the request by Ald. Nicholson to review the total number of lawsuits since 2002 broken down by year that shows the cost of each lawsuit per year, brief description of the lawsuit, the amount paid in attorney fees, and the cost of the lawsuit.
7. Hold until next meeting the request by Ald. Wery that the Mayor and staff provide documentation for "approval and purchase" of the Clarion Hotel, showing when public debate and vote were held and the purchase price.

8. Refer to DPW staff for advice on how to move forward with the request by Ald. Andy Nicholson to purchase the southwest corner of University and Irwin Avenues.
9. Refer back to staff the request by Ald. Tom DeWane for a Financial update on the Watermark with a complete chronological records of all financial records.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to adopt the report with the exception of Items #8 and #9. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #8.

Moved by Ald. Moore, seconded by Ald. Scannell to receive Item #8 and place it on file. Ald. Moore withdrew his motion.

Moved by Ald. Nicholson, seconded by Ald. Moore to refer Item #8 to the Department of Public Works to bring back applicable information. Motion carried.

Moved by Ald. Wery, seconded by Ald. Moore to adopt Item #9. Motion carried.

## **REPORT OF THE IMPROVEMENT AND SERVICE COMMITTEE March 3, 2015**

The Improvement and Service Committee, having met on February 25, 2015 considered all matters on its agenda and wishes to report and recommend the following:

1. To refer to Department of Public Works staff the request by Ald. Wery to amend Ordinance No. 9.02(7) to allow storage of garbage/recycling carts next to a house/garage, or in front of a garage without a fence or shrub screen to solicit comment from the Alderpersons regarding potential changes to relevant sections of the Solid Waste Collection Regulations Ordinance, and bring back findings for the first meeting in April. Motion carried.
2. To approve the request by Department of Public Works to award a sole source contract to Coenen Mechanical Contractors for the fabrication and installation of brush/log guards at the Quincy Street storm sewer lift station in the amount of \$21,150. Motion carried.
3. To approve the request by Department of Public Works to award a sole source contract to DLT Solutions for AutoCAD licensing using the government services pricing contract in the amount of \$10,146.92. Motion carried.
4. To approve the Pedestrian Crosswalk Maintenance Agreements with Wisconsin Department of Transportation and authorize the Director of Public Works to execute the agreements. Motion carried.

5. To approve the report of the Purchasing Manager:
  - A. To award the purchase of Streetlight Luminaires and Brackets from Neher Electric for \$16,428.  
Motion carried.
6. To approve the request by Creative Sign (contractor) on behalf of Encompass Child Care, Inc (owner) to allow the existing awnings and lights and a new sign in the right-of-way adjacent to 345 N Broadway contingent upon executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement. Motion carried.
7. To approve the request by Jeff Hunter (tenant) on behalf of Paul D Jacob (owner) to allow the existing awning and new sign in the right-of-way adjacent to 715 S Broadway contingent upon obtaining all necessary approvals, executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement, and at such time that fifty percent or more of the value of the existing awnings is necessary for maintenance and/or repair, the awning needs to be brought into strict compliance with the applicable ordinances at that time. Motion carried.
8. To approve the following plat of right-of-way: "Sewer Easement from Franz Avenue to Baird's Creek", and have it referred to the Plan Commission for review and to the Law Department to file a Lis Pendens. Motion carried.
9. To approve the applications for Concrete Sidewalk Builder's License by the following:
  - A. IEI General Contractors, Inc.
  - B. Ken's Concrete LLC.
  - C. Louie's General Construction & ConcreteMotion carried.
10. To approve the application for Tree & Brush Trimmer Licenses by the following:
  - A. A to Z Tree Service LLC.
  - B. Best Stump Grinding
  - C. Carl's Tree Service
  - D. S & D Tree Services LLC.Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Moore to adopt the report. Motion carried.

## **REPORT OF THE PARK COMMITTEE**

### **March 3, 2015**

The Park Committee, having met on Wednesday, February 25, 2015, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by Ald. Wery to have the Green Bay Swim Club and the Friends of Colburn Pool host an exhibition swim meet at Colburn Pool in August 2015 for a Friends fundraising event contingent upon:
  - All proper insurances and permits being obtained;
  - Final plans for the event must be approved by staff;
  - All costs of the event are the responsibility of the Green Bay Swim Club and Friends of Colburn Pool;
  - All revenue and proceeds raised minus expenses go directly to the Friends of Colburn Pool.
2. To refer to staff to have additional discussions with Brown County and the Army Corp. of Engineers for a possible easement to Renard Island, gather information, and report back to the Park Committee.
3. To approve the purchase of new Honeywell software, including installation and training to upgrade the City Hall HVAC Control System for \$25,150.
4. To authorize staff to trade the un-used Pardeeville miniature train for two new gondola style passenger cars from Diamond Car Works at no additional cost to the City.
5. To receive and place on file the Director's Report.

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to adopt the report. Motion carried.

6. Report of the Personnel Committee.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt the report. Motion carried.

## **SPECIAL MEETING**

### **PROTECTION & WELFARE COMMITTEE REPORT**

### **March 3, 2015**



The Protection & Welfare Committee, having met on Thursday, February 12, 2015, considered all matters on the agenda and wishes to report and recommend the following:

1. To refer back to the City Attorney's Office to generate a report regarding regulation and enforcement of UBER and similar companies as it applies to the current taxi ordinance.
2. To review, with possible action, the prior taxi cab ordinance to determine if it shall become re-adopted.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report. Motion carried.

## **PROTECTION & WELFARE COMMITTEE REPORT MARCH 3, 2015**

The Protection & Welfare Committee, having met on Monday, February 23, 2015, considered all matters on the agenda and wishes to report and recommend the following:

1. To approve the request by the owners of Anduzzi's, 900 Kepler Drive, to hold an outdoor event July 24 to 26 and to allow music until 1:00 A.M. on July 24 and 25. The approval of the request is subject to complaint.
2. To approve the appeal by Patrick Ronsmans to the denial of his Public Vehicle Operator License application.
3. To refer back to staff, Green Bay Municipal Ordinance 15.65 relating to waiting periods for permits to raze a building.
4. For Uber and all other transportation network companies to desist and become regulated under Green Bay Ordinance 6.21 relating to Taxi Licensing.
5. To refer to staff to amend the Green Bay Taxi Ordinance as follows:
  1. To repeal Ordinance 6.21(4)(b) relating to the hospitality training requirement,
  2. To repeal Ordinance 6.21(3)(f)(5)(d) relating to displaying all fare rates on the exterior of the vehicle,
  3. To add Ordinance 6.21(3)(f)(6)(c) relating to displaying all fare rates on the interior of the vehicle,
  4. To amend the language in Ordinance 6.21(6) that the Common Council may require the complainant to post surety of up to \$500; amending to the Common Council may fine a complainant up to \$500,

5. To add language in Ordinance 6.21 to recognize Transportation Network Companies,
6. To add language in Ordinance 6.21(3)(f) exempting all Transportation Network Companies from displaying anything on the interior and exterior of the vehicle,
7. To add language in Ordinance 6.21(5)(b) exempting all Transportation Network Companies from providing receipts to customers upon demand.

Moved by Ald. Wiezbiskie, seconded by Ald. Moore to adopt the report. Motion carried.

**REPORT OF THE PROTECTION AND WELFARE COMMITTEE  
GRANTING OPERATOR LICENSES  
March 3, 2015**

The Protection and Welfare Committee wishes to request that the following applications for Operator Licenses be granted. Stipulations placed on licenses shall continue to be in effect.

**OPERATOR LICENSES**

Alberts, Sophia M  
Anderson, Samuel V  
Baker, Samantha L  
BremPELL, Anthony M  
Bunker, Dustin D  
Fish, BryAnne R  
Haller, Jessica K  
Halloran, Anthony D  
Herron, Jasmine N  
Isenhardt, BreAnna MJ  
Kronwall, Beth M  
Larrabee-Schmunck,  
Lefebvre, Josie L  
Lanski, Zakarie J  
Lones, Trelinda S  
Lutzow, Brandon L  
Malinski, Debra R  
Mattern, Vincent M  
Remaker, Krystal L  
Robb, Adam L  
Sanchez-Sanchez, Hugo

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report. Motion carried.

**RESOLUTIONS**  
**COMMON COUNCIL**  
**OF THE**  
**CITY OF GREEN BAY, WISCONSIN**

**March 3, 2015**

**Resolution No. 10**

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**A Resolution Authorizing and Providing for the Sale and Issuance of  
\$6,750,000 General Obligation Refunding Bonds, Series 2015A,  
and All Related Details**

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**RECITALS**

The Common Council (the “**Governing Body**”) of the City of Green Bay, Wisconsin (the “**Issuer**”) makes the following findings and determinations:

1. The Issuer is in need of funds to finance the advance refunding of some of the outstanding maturities described herein of the Issuer’s (i) \$7,390,000 General Obligation Corporate Purpose Bonds, Series 2007A, dated June 5, 2007, and (ii) \$5,240,000 General Obligation Corporate Purpose Bonds, Series 2008B, dated August 4, 2008 (collectively, the “**Refunding**”).

2. On February 16, 2015 the Governing Body adopted an initial resolution authorizing the issuance of not to exceed \$7,000,000 in principal amount of general obligation refunding bonds of the Issuer for the purpose of the Refunding.

3. The Governing Body wishes to borrow the funds needed for the Refunding by selling and issuing its general obligation refunding bonds pursuant to the provisions of Chapter 67 of the Wisconsin Statutes.

4. The Issuer has taken all actions required by law and has the power to sell and issue the \$6,750,000 General Obligation Refunding Bonds, Series 2015A authorized by this resolution.

**RESOLUTIONS**

The Governing Body resolves as follows:

**Section 1. Definitions.**

In addition to the terms defined above, capitalized terms not otherwise defined herein shall have the meanings set forth below, unless the context clearly requires another meaning.

“**Book-Entry System**” means a system in which no physical distribution of certificates representing ownership of the Obligations is made to the owners of the Obligations but

instead all outstanding Obligations are registered in the name of a securities depository appointed by the Issuer, or in the name of such a depository's nominee, and the depository and its participants record beneficial ownership and effect transfers of the Obligations electronically.

**"Code"** means the Internal Revenue Code of 1986, as amended.

**"Continuing Disclosure Agreement"** means the Continuing Disclosure Agreement, dated as of the Original Issue Date, to be executed by the Issuer and delivered on the closing date of the Obligations.

**"Debt Service Fund"** means the fund created by the Issuer pursuant to Section 67.11 of the Wisconsin Statutes to provide for the payment of debt service on its general obligations.

**"Depository"** means DTC or any successor appointed by the Issuer and acting as securities depository for the Obligations.

**"DTC"** means The Depository Trust Company.

**"Escrow Account"** means the escrow account created under the Escrow Agreement.

**"Escrow Agent"** means the Associated Trust Company, National Association.

**"Escrow Agreement"** means the escrow agreement to be entered into between the Issuer and the Escrow Agent to effect the refunding of the Refunded Bonds.

**"Financial Officer"** means the Treasurer.

**"Fiscal Agent"** means Associated Trust Company, National Association, or any successor fiscal agent appointed by the Issuer to act as authentication agent, paying agent, and registrar for the Obligations pursuant to Section 67.10 (2) of the Wisconsin Statutes.

**"Governing Body"** has the meaning set forth in the recitals to this resolution.

**"Issuer"** means the City of Green Bay, Wisconsin.

**"Municipal Officers"** means the Mayor and the Clerk of the Issuer. These are the officers required by law to execute general obligations on the Issuer's behalf.

**"Obligations"** means the \$6,750,000 City of Green Bay, Wisconsin General Obligation Refunding Bonds, Series 2015A, which will be issued pursuant to this resolution.

**"Original Issue Date"** means March 25, 2015.

**“Prior Bonds”** means collectively, the Series 2007A Bonds and the Series 2008B Bonds.

**“Purchase Price”** means \$6,871,204.85, plus payment by the Purchaser on behalf of the Issuer of \$31,887.50 of the costs of issuing the Obligations.

**“Purchaser”** means Robert W. Baird & Co. Incorporated, or a group that it represents.

**“Record Date”** means the 15th day (whether or not a business day) of the calendar month just before each regularly scheduled interest payment date for the Obligations.

**“Recording Officer”** means the Issuer’s Clerk.

**“Redemption Date”** means (i) April 1, 2016 for the 2007A Refunded Maturities, and (ii) April 1, 2018 for the 2008B Refunded Maturities.

**“Refunded Bonds”** means the 2007A Refunded Maturities and the 2008B Refunded Maturities.

**“Refunding”** has the meaning set forth in the recitals to this resolution.

**“Register”** means the register maintained by the Fiscal Agent at its designated office, in which the Fiscal Agent records:

- (i) The name and address of the owner of each Obligation.
- (ii) All transfers of each Obligation.

**“Series 2007A Bonds”** means the Issuer’s \$7,390,000 General Obligation Corporate Purpose Bonds, Series 2007A, dated June 5, 2007.

**“Series 2008A Bonds”** means the Issuer’s \$5,240,000 General Obligation Corporate Purpose Bonds, Series 2008B, dated August 4, 2008.

**“Treasurer”** means the Issuer’s Treasurer.

**“2007A Refunded Maturities”** means the 2017 through and including 2020 maturities, and a \$15,000 portion of the 2021 maturity, of the Series 2007A Bonds.

**“2008B Refunded Maturities”** means the 2021 through and including 2028 maturities, and a \$775,000 portion of the 2020 term bond (consisting of the 2019 mandatory sinking fund redemption amount and the scheduled principal amount maturing in 2020), of the Series 2008B Bonds.

## **Section 2. Exhibits.**

The attached exhibits are also a part of this resolution as though they were fully written out in this resolution:

- (i) *Exhibit A* — Form of Obligation.
- (ii) *Exhibit B* — Notice to Electors of Sale.

## **Section 3. Purposes of Borrowing; Issuance of Obligations.**

The Governing Body authorizes the Obligations and orders that they be prepared, executed, and issued. The Obligations will be fully registered, negotiable, general obligation refunding bonds of the Issuer in the principal amount of \$6,750,000. The Obligations will be issued pursuant to the provisions of Chapter 67 of the Wisconsin Statutes to pay the costs of the Refunding and issuing the Obligations (including, but not limited to, printing costs and fees for underwriting, financial consultants, bond counsel, rating agencies, bond insurance, and registration, as applicable).

## **Section 4. Terms of Obligations.**

The Obligations will be named “City of Green Bay, Wisconsin General Obligation Refunding Bonds, Series 2015A.” The Obligations will be dated the Original Issue Date, even if they are actually issued or executed on another date. Each Obligation will also be dated the date on which it is authenticated by the Fiscal Agent. That date is its registration date.

The face amount of each Obligation will be \$5,000 or any multiple thereof up to the principal amount authorized for that maturity.

The Obligations will bear interest from the Original Issue Date. Interest will be due and payable on each April 1 and October 1, beginning on October 1, 2015, until the principal of the Obligations has been paid. Interest on each Obligation will be (i) computed on the basis of a 360-day year of twelve 30-day months and (ii) payable to the person in whose name the Obligation is registered on the Register at the end of the day on the applicable Record Date. The Issuer and the Fiscal Agent may treat the entity or person in whose name any Obligation is registered on the Register as the absolute owner of the Obligations for all purposes whatsoever under this resolution. The Obligations will be numbered consecutively as may be required to comply with any applicable rules or customs or as determined by the Municipal Officers executing the Obligations. The following table shows when the Obligations will mature and the rate of interest each maturity will bear:

<u>Principal Maturity Date (April 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2016	\$ 85,000	2.00%
2017	440,000	2.00
2018	450,000	2.00
2019	835,000	2.00
2020	850,000	2.00
2021	460,000	3.00
2022	465,000	3.00
2023	480,000	3.00
2024	500,000	3.00
2025	520,000	3.00
2026	535,000	3.00
2027	555,000	3.00
2028	575,000	3.00

To comply with statutory limitations on maximum maturity, the Issuer specifies that the Obligations are being issued to pay and discharge the original debts represented by the Refunded Bonds in the order in which those original debts were incurred. This means that each original debt represented by a Refunded Bond will be repaid within twenty years of the original date of such debt.

The principal of, and interest on, the Obligations will be payable in lawful money of the United States of America.

#### **Section 5. Refunding of Refunded Bonds; Escrow Agreement.**

To provide for the redemption of the Refunded Bonds on the applicable Redemption Date, and to provide for the payment of interest due on the Refunded Bonds on and prior to the applicable Redemption Date, the Financial Officer is directed to transfer proceeds of the Obligations to the applicable account within the debt service fund for the Prior Bonds. The transfers shall be made on or prior to the Redemption Date. The amounts transferred shall be sufficient, together with all other funds then on deposit in said accounts, to pay the amounts due on each Refunded Bond on and prior to the Redemption Date. To provide for the transfers, the Municipal Officers are directed to enter into the Escrow Agreement on the Issuer's behalf. The amounts deposited in the Escrow Account shall be invested and disbursed in the manner described in the Escrow Agreement.

It is necessary to purchase investment securities to be held in the Escrow Account. Robert W. Baird & Co. Incorporated, as an agent for the Issuer, is directed to purchase, or cause to be purchased, appropriate securities to be held in the Escrow Account in the Issuer's name. The securities that are purchased shall be deposited in the Escrow Account and held pursuant to the terms of the Escrow Agreement and this resolution.

## **Section 6. Redemption of Refunded Bonds.**

The Issuer irrevocably directs that the principal amount of each Refunded Bond be redeemed and paid in full in advance of its stated maturity on the applicable Redemption Date. The appropriate officers of the Issuer are directed to instruct the fiscal agent for each of the Prior Bonds to take all actions required to call each Refunded Bond for redemption on the applicable Redemption Date, including giving notice in the manner required by the governing documents for each of the Prior Bonds.

## **Section 7. Fiscal Agent.**

The Issuer appoints the Fiscal Agent to act as authentication agent, paying agent, and registrar for the Obligations. The appropriate officers of the Issuer are directed to enter into a fiscal agency agreement with the Fiscal Agent on behalf of the Issuer. The fiscal agency agreement may provide for the Issuer to pay the reasonable and customary charges of the Fiscal Agent for those services. The fiscal agency agreement shall require the Fiscal Agent to comply with all applicable federal and state regulations. Among other things, the Fiscal Agent shall maintain the Register.

## **Section 8. Appointment of Depository.**

The Issuer appoints DTC to act as securities depository for the Obligations. An authorized representative of the Issuer has previously executed a blanket issuer letter of representations with DTC on the Issuer's behalf, and the Issuer ratifies and approves that document.

## **Section 9. Book-Entry System.**

On the date of their initial delivery, the Obligations will be registered in the name of DTC or its nominee and maintained in a Book-Entry System. If the Issuer's relationship with DTC is terminated, then the Issuer may appoint another securities depository to maintain the Book-Entry System.

If on any date the Obligations are *not* being maintained in a Book-Entry System, then the Issuer will do the following:

- (i) At its expense, the Issuer will prepare, authenticate, and deliver to the beneficial owners of the Obligations fully-registered, certificated Obligations in the denomination of \$5,000 or any multiple thereof in the aggregate principal amount then outstanding. The beneficial owners will be those shown on the records of the Depository and its direct and indirect participants.
- (ii) The Issuer will appoint a fiscal agent to act as authentication agent, paying agent, and registrar for the Obligations under Section



67.10 (2) of the Wisconsin Statutes (the Fiscal Agent may be reappointed in this capacity).

**Section 10. Redemption.**

The Obligations maturing on or after April 1, 2024 are subject to redemption before their stated maturity dates, at the Issuer's option, in whole or in part, in the order of maturity selected by the Issuer, on April 1, 2023 and on any date thereafter. The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the redemption date, and no premium will be paid. If payment of an Obligation called for redemption has been made or provided for, then interest on the Obligation stops accruing on the stated redemption date. If less than all outstanding Obligations of a specific maturity are redeemed, then such Obligations will be redeemed in multiples of \$5,000 in accordance with Sections 11 and 12 hereof.

**Section 11. Manner of Payment/Transfers/Under Book-Entry System.**

So long as the Obligations are being maintained in a Book-Entry System, the following provisions apply:

*Payment.* The Fiscal Agent is directed to pay the principal of, and interest on, the Obligations by wire transfer to the Depository or its nominee in accordance with the Depository's rules that are then in effect.

*Transfers.* The Obligations are transferable, only upon the Register and only if the Depository ceases to act as securities depository for the Obligations and the Issuer appoints a successor securities depository. If that happens, then upon the surrender of the Obligations to the Fiscal Agent, the Issuer will issue new fully registered Obligations in the same aggregate principal amount to the successor securities depository, and the Obligations will be recorded as transferred to the successor securities depository in the Register.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after such Obligation has been called for redemption.

*Partial Redemption.* If less than all the Obligations of a particular maturity are to be redeemed, then the Depository and its direct and indirect participants will select the beneficial owners of the Obligations to be redeemed. If less than all the principal amount of a specific maturity is redeemed, then on the redemption date, upon surrender to the Fiscal Agent of the Obligation, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

*Notice of Redemption.* Notice of the redemption of any of the Obligations will be sent to the Depository, in the manner required by the Depository, not less than 30, and not

more than 60, days prior to the proposed redemption date. A notice of redemption may be revoked by sending notice to the Depository, in the manner required by the Depository, not less than 15 days prior to the proposed redemption date.

## **Section 12. Manner of Payment/Transfers/Not Under Book-Entry System.**

If on any date the Obligations are *not* being maintained in a Book-Entry System, then the following provisions apply:

*Payment.* The Fiscal Agent will pay the principal of each Obligation upon its presentation and surrender on or after its maturity or earlier redemption date at the designated office of the Fiscal Agent, and the Fiscal Agent will pay, on each interest payment date, the interest on each Obligation by wire or other electronic money transfer, or by check of the Fiscal Agent sent by first class mail, to the person or entity in whose name the Obligation is registered on the Register at the end of the day on the applicable Record Date.

*Transfers.* Each Obligation is transferable, only upon the Register, for a like aggregate principal amount of the same maturity and interest rate in denominations of \$5,000 or any multiple thereof. A transfer may be requested by the registered owner in person or by a person with a written power of attorney. The Obligation shall be surrendered to the Fiscal Agent, together with a written instrument of transfer satisfactory to the Fiscal Agent signed by the registered owner or by the person with the written power of attorney. The Issuer will issue one or more new fully registered Obligations in the same aggregate principal amount to the transferee or transferees, as applicable, in exchange for the surrendered Obligations and upon the payment of a charge sufficient to reimburse the Issuer or the Fiscal Agent for any tax, fee, or other governmental charge required to be paid with respect to such registration.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after the Obligation has been called for redemption.

*Partial Redemptions.* If less than all the Obligations of a particular maturity are to be redeemed, then the Issuer or the Fiscal Agent will randomly select the Obligations to be redeemed. If less than all the principal amount of a specific maturity is redeemed, then on the redemption date, upon surrender to the Fiscal Agent of the Obligation, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

*Notice of Redemption.* Notice of the redemption of any of the Obligations shall be sent by first class mail, not less than 30, and not more than 60, days before the redemption date, to the registered owners of the Obligations to be redeemed, at the respective addresses set forth in the Register. A notice of redemption may be revoked by sending

Common Council 3-3-15

a notice by first class mail, not less than 15 days prior to the proposed redemption date, to the registered owners of the Obligations which have been called for redemption.

### **Section 13. Form of Obligations.**

The Obligations shall be in substantially the form shown in Exhibit A. Omissions, insertions, or variations are permitted if they are deemed necessary or desirable and are consistent with this resolution or any supplemental resolution. The Issuer may cause the approving opinion of bond counsel to be printed or reproduced on the Obligations.

### **Section 14. Execution of Obligations.**

The Obligations shall be signed by the persons who are the Municipal Officers on the date on which the Obligations are signed. The Obligations shall be sealed with the Issuer's corporate seal (or a facsimile), if the Issuer has one, and they shall also be authenticated by the manual signature of an authorized representative of the Fiscal Agent.

The Obligations will be valid and binding even if before they are delivered any person whose signature appears on the Obligations is no longer living or is no longer the person authorized to sign the Obligations. In that event, the Obligations will have the same effect as if the person were living or were still the person authorized to sign the Obligations.

A facsimile signature may be used as long as at least one signature of a Municipal Officer is a manual signature or the Fiscal Agent's certificate of authentication has a manual signature. If a facsimile signature is used, then it will be treated as the officer's own signature.

### **Section 15. Continuing Disclosure.**

The appropriate officers of the Issuer are directed to sign the Continuing Disclosure Agreement, and the Issuer agrees to comply with all of its terms.

### **Section 16. Sale of Obligations.**

The Issuer awards the sale of the Obligations to the Purchaser at the Purchase Price, plus any accrued interest from the Original Issue Date to the date of delivery of the Obligations. The Issuer approves and accepts the purchase agreement signed and presented by the Purchaser to evidence the purchase of the Obligations (the "**Purchase Agreement**"). The Municipal Officers are directed (i) to sign the Purchase Agreement in the Issuer's name and (ii) to take any additional actions needed to effect the closing for the Obligations.

The Municipal Officers are directed to sign the Obligations and to arrange for delivery of the Obligations to the Purchaser through the facilities of DTC in accordance with the Purchase Agreement and this resolution. The Obligations may be delivered to the Purchaser upon payment by the Purchaser of the Purchase Price, plus any accrued interest, as required by the Notice of Sale.

Unless waived by the Purchaser, the delivery of the Obligations is conditioned upon the Issuer furnishing the following items to the Purchaser:

- (i) The Obligations, together with the written, unqualified approving opinion of the law firm of Foley & Lardner LLP, bond counsel, evidencing the legality of the Obligations and that interest on the Obligations will be excluded from gross income for federal income tax purposes.
- (ii) A transcript of the proceedings relating to the issuance of the Obligations.
- (iii) A certificate showing that no litigation has been threatened or is pending that would affect the legality of the Obligations or the right of the Issuer to issue them at the time of their delivery.

#### **Section 17. General Obligation Pledge; Tax Levy.**

For the prompt payment of the principal of, and interest on, the Obligations, the Issuer irrevocably pledges its full faith and credit. The Issuer hereby levies upon all taxable property in its territory a direct, annual, and irrepealable tax in an amount sufficient to pay, and for the express purpose of paying, the interest on the Obligations as it falls due and also to pay and discharge the principal of the Obligations at maturity.

This tax shall be carried from year to year into the Issuer's tax roll. It shall be collected in addition to all other taxes and in the same manner and at the same time as all other taxes. The amount of this tax that is carried into the Issuer's tax roll may be reduced in any year by the amount of any surplus money in the separate account within the Debt Service Fund (described below) available to pay debt service on the Obligations for such year. The tax for each year the levy is made will be in the following amounts:

<u>Levy Year</u>	<u>Debt Service Amount Due in Following Year</u>
2015	\$260,050.00
2016	609,800.00
2017	610,900.00
2018	983,050.00
2019	981,200.00
2020	575,800.00
2021	566,925.00
2022	567,750.00
2023	573,050.00
2024	577,750.00
2025	576,925.00
2026	580,575.00
2027	583,625.00

Taking into account any accrued interest received on the date of delivery of the Obligations, any premium paid to the Issuer by the Purchaser in excess of the stated principal amount of the Obligations that has been deposited into the Debt Service Fund as provided in Section 18 hereof, the Issuer appropriates from its tax levy made in the year 2014 an amount sufficient to pay the remaining amount, if any, needed for the interest payment coming due on the Obligations on October 1, 2015. As a result of the foregoing, the Issuer does not need to levy a tax for the interest payment on the Obligations to be made on October 1, 2015.

#### **Section 18. Debt Service Fund.**

The Treasurer is directed to keep the proceeds of the taxes levied under this resolution, when they are collected, in the Debt Service Fund. The Debt Service Fund shall be maintained and administered as provided in Section 67.11 of the Wisconsin Statutes. The Issuer shall create a separate account within the Debt Service Fund solely for the Obligations. Any accrued interest received at the time of delivery of the Obligations and the premium, if any, paid to the Issuer by the Purchaser in excess of the stated principal amount of the Obligations shall be deposited into such account within the Debt Service Fund and used to pay interest on the Obligations. If the money in such account within the Debt Service Fund is insufficient to make a payment of principal of, or interest on, the Obligations on a date on which such a payment is due, then the Issuer will promptly provide the necessary funds to make the payment from other available sources.

#### **Section 19. Borrowed Money Fund.**

The sale proceeds of the Obligations (not including any accrued interest or premium received) shall be deposited in the Escrow Account (herein referred to as the

**“Borrowed Money Fund”**). The Escrow Account will be deemed to be the Borrowed Money Fund for the Obligations for the purpose of Section 67.10(3) of the Wisconsin Statutes. Money in the Borrowed Money Fund, including any earnings, must be (i) used to pay the costs of the Refunding and issuing the Obligations or (ii) be transferred to the Debt Service Fund as provided by law.

#### **Section 20. Official Statement.**

The Issuer ratifies and approves the preliminary offering document prepared and distributed in connection with the sale and issuance of the Obligations, and the Issuer authorizes and directs the final version of such document (the **“Official Statement”**) to be prepared prior to the issuance of the Obligations; *provided, however*, that the Official Statement shall be substantially in the form submitted to this meeting, with such modifications as the Municipal Officers approve. The Municipal Officers are directed to deliver copies of the Official Statement to the Purchaser and, if the Purchaser requests, execute one or more copies on behalf of the Issuer. Execution and delivery of the Official Statement will conclusively evidence the approval of the Municipal Officers.

#### **Section 21. Publication of Notice.**

The Recording Officer is directed to publish notice that the Issuer has agreed to sell the Obligations. The notice shall be published in the Issuer’s official newspaper, as a class 1 notice under Chapter 985 of the Wisconsin Statutes promptly after the adoption of this resolution. The notice shall be in substantially the form shown in Exhibit B. The Recording Officer shall obtain proof, in affidavit form, of the publication, and shall compare the notice as published with the attached form to make sure that no mistake was made in publication.

#### **Section 22. Authorization of Officers.**

The appropriate officers of the Issuer are directed to prepare and furnish the following items to the Purchaser and the attorneys approving the legality of the Obligations:

- (i) Certified copies of proceedings and records of the Issuer relating to the Obligations and to the financial condition and affairs of the Issuer.
- (ii) Other affidavits, certificates, and information that may be required to show the facts about the legality of the Obligations, as such facts appear on the books and records under the officer’s custody or control or as are otherwise known to the officer.

All certified copies, affidavits, certificates, and information furnished for such purpose will be representations of the Issuer as to the facts they present.

**Section 23. Tax Law Covenants.**

The Issuer covenants that it will comply with all requirements of the Code and the Treasury Regulations promulgated thereunder, that must be satisfied so that interest on the Obligations will be excluded from gross income for federal income tax purposes.

**Section 24. Further Authorization.**

The Issuer authorizes its officers, attorneys, and other agents or employees to do all acts required of them to carry out the purposes of this resolution.

**Section 25. Conflict with Prior Acts.**

In case any part of a prior action of the Governing Body conflicts with this resolution, that part of the prior action is hereby rescinded.

**Section 26. Severability of Invalid Provisions.**

If a court holds any provision of this resolution to be illegal or invalid, then the illegality or invalidity shall not affect any other provision of this resolution.

**Section 27. Resolution Effective upon Adoption and Approval.**

This resolution takes effect upon its adoption and approval in the manner provided by law.

\* \* \* \* \*

Adopted: March 3, 2015

Approved: March 4, 2015

James J. Schmitt  
Mayor

Kris A. Teske  
Clerk

## EXHIBIT A

### FORM OF OBLIGATION

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to the issuer or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

STATE OF WISCONSIN  
CITY OF GREEN BAY

No. R-\_\_\_\_\_ Registered  
\$\_\_\_\_\_

GENERAL OBLIGATION REFUNDING BOND, SERIES 2015A			
<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>Date</u>	<u>Original</u> <u>Issue Date</u>	<u>CUSIP</u>
_____%	April 1, 20__	March 25, 2015	392641 ____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ DOLLARS

THE CITY OF GREEN BAY, WISCONSIN (herein called the “**Issuer**”), hereby acknowledges itself to owe, and for value received promises to pay the Principal Amount to the Registered Owner on the Maturity Date, and interest on the Principal Amount from the Original Issue Date at the annual rate of the Interest Rate. Interest is due and payable on each April 1 and October 1, beginning on October 1, 2015, until the Principal Amount has been paid. Interest is computed on the basis of a 360-day year of twelve 30-day months.

This Obligation is one of a duly authorized issue of bonds (the “**Obligations**”) of the Issuer of an aggregate principal amount of \$6,750,000, all of which are of like tenor, except as to denomination, interest rate, maturity date, and redemption provisions, issued by the Issuer pursuant to the provisions of Chapter 67 of the Wisconsin Statutes, and is authorized by (1) an initial resolution adopted by the governing body of the Issuer on February 16, 2015, and (2) the resolution duly adopted by the governing body of the Issuer on March 3, 2015, entitled: “A Resolution Authorizing and Providing for the Sale and Issuance of \$6,750,000 General Obligation Refunding Bonds, Series 2015A, and



All Related Details” (the “**Resolution**”). The Obligations are issuable only in the form of fully registered bonds.

On the date of their initial delivery, the Obligations will be maintained in a system in which no physical distribution of certificates representing ownership of the Obligations is made to the owners of the Obligations but instead all outstanding Obligations are registered in the name of a securities depository appointed by the Issuer (a “**Depository**”), or in the name of the Depository’s nominee, and the Depository and its participants record beneficial ownership and effect transfers of the Obligations electronically (a “**Book-Entry System**”). So long as the Obligations are maintained in a Book-Entry System, then the principal of, and interest on, this Obligation will be paid by wire transfer to the Depository or its nominee in accordance with the Depository’s rules that are then in effect by ASSOCIATED TRUST COMPANY, NATIONAL ASSOCIATION or any successor fiscal agent appointed by the Issuer under Section 67.10 (2) of the Wisconsin Statutes (the “**Fiscal Agent**”), which will act as authentication agent, paying agent, and registrar for the Obligations.

If on any date the Obligations are *not* being maintained in a Book-Entry System, then (i) the principal of this Obligation will be paid by the Fiscal Agent upon its presentation and surrender on or after its maturity date or earlier redemption date at the designated office of the Fiscal Agent, and (ii) the interest on this Obligation will be paid by the Fiscal Agent on each interest payment date by wire or other electronic money transfer, or by check of the Fiscal Agent sent by first class mail, to the person or entity in whose name this Obligation is registered on the register (the “**Register**”) maintained by the Fiscal Agent at the end of the day on the 15<sup>th</sup> day (whether or not a business day) of the calendar month just before each regularly scheduled interest payment date (the “**Record Date**”). The Issuer and the Fiscal Agent may treat the entity or person in whose name any Obligation is registered on the Register as the absolute owner of this Obligation for all purposes.

The principal of, and interest on, this Obligation is payable in lawful money of the United States of America. For the prompt payment of the principal of, and interest on, this Obligation, the Issuer has irrevocably pledged its full faith and credit. The Issuer has levied upon all taxable property in its territory a direct, annual, and irrepealable tax sufficient in amount to pay, and for the express purpose of paying, the interest on this Obligation as it falls due and the principal of this Obligation on the Maturity Date.

The Obligations maturing on or after April 1, 2024 are subject to redemption before their stated maturity dates, at the Issuer’s option, in whole or in part, in the order of maturity selected by the Issuer, on April 1, 2023 and on any date thereafter. The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the redemption date, and no premium will be paid. If payment of an Obligation called for redemption has been made or provided for, then interest on the Obligation stops accruing on the stated redemption date. If less than all outstanding Obligations of a specific maturity are redeemed, then such Obligations will be redeemed in multiples of \$5,000 as set forth below.

So long as the Obligations are being maintained in a Book-Entry System, the following provisions apply:

*Transfers.* The Obligations are transferable, only upon the Register and only if the Depository ceases to act as securities depository for the

Obligations and the Issuer appoints a successor securities depository. If that happens, then upon the surrender of the Obligations to the Fiscal Agent, the Issuer will issue new fully registered Obligations in the same aggregate principal amount to the successor securities depository and the Obligations will be recorded as transferred to the successor securities depository in the Register.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after such Obligation has been called for redemption.

*Partial Redemption.* If less than all the Obligations of a particular maturity are to be redeemed, then the Depository and its direct and indirect participants will select the beneficial owners of the Obligations to be redeemed. If less than all the principal amount of a specific maturity is redeemed, then on the redemption date and upon surrender to the Fiscal Agent of the Obligation, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

*Notice of Redemption.* Notice of the redemption of any of the Obligations will be sent to the Depository, in the manner required by the Depository, not less than 30, and not more than 60, days prior to the proposed redemption date. A notice of redemption may be revoked by sending notice to the Depository, in the manner required by the Depository, not less than 15 days prior to the proposed redemption date.

If on any date the Obligations are *not* being maintained in a Book-Entry System, then the following provisions apply:

*Transfers.* Each Obligation is transferable, only upon the Register, for a like aggregate principal amount of the same maturity and interest rate in denominations of \$5,000 or any multiple thereof. A transfer may be requested by the registered owner in person or by a person with a written power of attorney. The Obligation shall be surrendered to the Fiscal Agent, together with a written instrument of transfer satisfactory to the Fiscal Agent signed by the registered owner or by the person with the written power of attorney. The Issuer will issue one or more new fully registered Obligations, in the same aggregate principal amount to the transferee or transferees, as applicable, in exchange for the surrendered Obligations and upon the payment of a charge sufficient to reimburse the Issuer or the Fiscal Agent for any tax, fee, or other governmental charge required to be paid with respect to such registration.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with

respect to any particular Obligation, after such Obligation has been called for redemption.

*Partial Redemption.* If less than all the Obligations of a particular maturity are to be redeemed, then the Issuer or the Fiscal Agent will randomly select the Obligations to be redeemed. If less than all the principal amount of a specific maturity is redeemed, then on the redemption date and upon surrender to the Fiscal Agent of the Obligation, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

*Notice of Redemption.* Notice of the redemption of any of the Obligations shall be sent by first class mail, not less than 30, and not more than 60, days before the redemption date, to the registered owners of any Obligations to be redeemed, at the respective addresses set forth in the Register. A notice of redemption may be revoked by sending a notice by first class mail, not less than 15 days prior to the proposed redemption date, to the registered owners of the Obligations which have been called for redemption.

The Issuer certifies, recites, and declares that all acts, conditions, and procedures required by law to exist, to have happened, and to be performed, leading up to and in the issuing of this Obligation and of the issue of which it is a part, do exist, have happened, and have been performed in regular and due form, time, and manner as required by law; that the indebtedness of the Issuer, including this Obligation and the issue of which it is a part, does not exceed any limitation, general or special, imposed by law; and that a valid, direct, annual and irrevocable tax has been levied by the Issuer sufficient to pay the interest on this Obligation when it falls due and also to pay and discharge the principal of this Obligation at maturity.

IN WITNESS WHEREOF, the Issuer, by its governing body, has caused this Obligation to be executed in its name and on its behalf by the manual or facsimile signatures of its Mayor and Clerk and to be sealed with its corporate seal (or a facsimile thereof), if any, all as of March 25, 2015.

CITY OF GREEN BAY, WISCONSIN

By:

\_\_\_\_\_  
Mayor

And:

\_\_\_\_\_  
Clerk

[SEAL]

Certificate of Authentication

Dated: March \_\_\_\_, 2015

This Obligation is one of the Obligations  
described in the Resolution.

ASSOCIATED TRUST COMPANY, NATIONAL ASSOCIATION,  
as Fiscal Agent

By: \_\_\_\_\_  
Authorized Signatory

## ASSIGNMENT

For value received, the undersigned hereby sells, assigns, and transfers unto

PLEASE INSERT SOCIAL SECURITY OR

OTHER IDENTIFYING NUMBER OF ASSIGNEE

---

(Please Print or Type Name and Address of Assignee)

the within-mentioned Obligation and all rights thereunder and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney-in-fact, to transfer the same on the books of the registry in the office of the Fiscal Agent, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed

NOTICE: Signatures must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Fiscal Agent . Those requirements include membership or participation in the Securities Transfer Association Medallion Program ("**STAMP**") or such other "signature guarantee program" as may be determined by the Fiscal Agent in addition to, or in substitution for, STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Note: The signature to this assignment must correspond with the name as written on the face of the within Obligation in every particular, without any alteration or change. When assignment is made by a guardian, trustee, executor or administrator, an officer of a corporation, or anyone in a representative capacity, proof of the person's authority to act must accompany this Obligation.

## **EXHIBIT B**

### **NOTICE TO THE ELECTORS OF THE CITY OF GREEN BAY, WISCONSIN RELATING TO BOND SALE**

On March 3, 2015, pursuant to Chapter 67 of the Wisconsin Statutes, a resolution was offered, read, approved, and adopted whereby the City of Green Bay, Wisconsin authorized the borrowing of money and entered into a contract to sell general obligation refunding bonds in the principal amount of \$6,750,000. It is anticipated that the closing of this bond financing will be held on or about March 25, 2015. A copy of all proceedings had to date with respect to the authorization and sale of said bonds is on file and may be examined in the office of the City Clerk, at 100 North Jefferson Street, Green Bay, Wisconsin between the hours of 9:00 a.m. and 4:30 p.m. on weekdays. This notice is given pursuant to Section 893.77 of the Wisconsin Statutes, which provides that an action or proceeding to contest the validity of such financing, for other than constitutional reasons, shall be commenced within 30 days after the date of publication of this notice.

Publication Date: March \_\_\_\_, 2015

/s/ Kris A. Teske  
City Clerk

Moved by Ald. Tim DeWane, seconded by Ald. Scannell to adopt the resolution.  
*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: None. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to suspend the rules for the purpose of adopting the remaining resolutions with one roll call vote. Motion carried.

## **FINAL PAYMENTS RESOLUTION**

**March 3, 2015**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That the City Clerk be and is hereby instructed to draw FINAL ORDERS in favor of the following contractors for their projects in the amounts listed as follows:

**1. PAVEMENT REPAIR 2014**  
**Fischer Ulman Construction, Inc.**

TOTAL AMOUNT EARNED:	\$ 402,061.84
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 402,061.84
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 391,322.04</u>
<b>AMOUNT DUE THIS ESTIMATE:</b>	<b>\$ 10,739.80</b>

**ACCOUNT NUMBERS**

**401500E-55301-61014: \$10,739.80**

**PO #105635**

**2. SEWERS 2-14 PART A**  
**Dorner Inc.**

TOTAL AMOUNT EARNED:	\$ 288,322.45
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 288,322.45
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 281,114.39</u>
<b>AMOUNT DUE THIS ESTIMATE:</b>	<b>\$ 7,208.06</b>

**ACCOUNT NUMBERS**

**403500-55355-63044: \$6,874.31**

**412500E-55355-63044: \$333.75**

**PO #105712**

Adopted March 3, 2015

Approved March 4, 2015

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

Moved by Ald. Moore, seconded by Ald. Scannell to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: None. Motion carried.

RESOLUTION AUTHORIZING REFUND/CANCELLATION  
OF PERSONAL PROPERTY TAXES

March 3, 2015

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, as per the recommendation of the Finance Committee at its meeting of February 24, 2015, the following personal property taxes shall be refunded or cancelled:

<u>Account</u>	<u>Amount</u>
8463    Ambiance Hair Studio (Tax Year 2014)	\$    66.20
21824   Vita Rawstaurant (Tax Year 2013)	368.30
21824   Vita Rawstaurant (Tax Year 2012)	346.90
23507   Jackson Hewitt Tax Service (Tax Year 2014)	132.20
24143   EP Direct (Tax Year 2014)	280.00



Adopted March 3, 2014

Approved March 4, 2015

James J. Schmitt  
Mayor

Kris A. Teske  
Clerk

Moved by Ald. Moore, seconded by Ald. Scannell to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: None. Motion carried.

**RESOLUTION APPROVING  
AIR RIGHTS EASEMENT  
AT 345 N BROADWAY  
RIGHT-OF WAY  
March 3, 2015**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

To approve the request by Creative Sign (contractor) on behalf of Encompass Child Care, Inc (owner) to allow the existing awnings and lights and a new sign in the right-of-way adjacent to 345 N Broadway contingent upon executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement.

Adopted March 3, 2015

Approved March 4, 2015

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

Moved by Ald. Moore, seconded by Ald. Scannell to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: None. Motion carried.

**RESOLUTION APPROVING  
AIR RIGHTS EASEMENT  
AT 715 S BROADWAY  
RIGHT-OF WAY  
March 3, 2015**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

To approve the request by Jeff Hunter (tenant) on behalf of Paul D Jacob (owner) to allow the existing awning and new sign in the right-of-way adjacent to 715 S Broadway contingent upon obtaining all necessary approvals, executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement, and at such time that fifty percent or more of the value of the existing awnings is necessary for maintenance and/or repair, the awning needs to be brought into strict compliance with the applicable ordinances at that time.

Adopted March 3, 2015

Approved March 4, 2015

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

Moved by Ald. Moore, seconded by Ald. Scannell to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: None. Motion carried.

RESOLUTION DESIGNATING THE  
REDEVELOPMENT AUTHORITY AS  
AGENT OF THE CITY OF GREEN BAY  
FOR THE CREATION OF TIF DISTRICT NO. 18,  
UNIVERSITY AVENUE REDEVELOPMENT AREA

March 3, 2015

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Wis. Stats. §66.1105, the Redevelopment Authority is designated as agent of the City of Green Bay to perform all acts, including the preparation of a TIF Plan, for the creation of TIF District No. 18, University Avenue Redevelopment Area.

Adopted March 3, 2015

Approved March 4, 2015

James J. Schmitt  
Mayor

Kris A. Teske  
Clerk

Moved by Ald. Moore, seconded by Ald. Scannell to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: None. Motion carried.

RESOLUTION DECLARING ALL  
TRANSPORTATION NETWORK COMPANIES  
BE REGULATED UNDER THE  
GREEN BAY TAXICAB ORDINANCE

March 3, 2015

WHEREAS, the transportation network company, Uber, has been operating in the City of Green Bay since October, 2014; and

WHEREAS, discussion ensued at the Protection and Welfare Committee on February 23, 2015, to determine the appropriate regulations regarding Uber and similar companies; and

WHEREAS, after discussion and recommendations from the Protection and Welfare Committee, the Common Council of Green Bay has determined the appropriate regulations for Uber.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Green Bay proclaims that Uber and all other transportation network companies are hereby determined to be "taxicab businesses", and the vehicles operated by such businesses shall be determined to be "taxis" and, therefore, shall be regulated under Green Bay Municipal Code, Section 6.2,1 pertaining to taxicab licensing.

BE IT FURTHER RESOLVED that the Common Council of the City of Green Bay proclaims that Uber and all other transportation network companies immediately desist from operation until they are in full compliance with Green Bay Municipal Code, Section 6.21.

Adopted March 3, 2015

Approved March 4, 2015

James J. Schmitt  
Mayor

Kris A. Teske  
Clerk

Moved by Ald. Moore, seconded by Ald. Scannell to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: None. Motion carried.

## **ORDINANCE - FIRST READING**

GENERAL ORDINANCE NO. 6-15

AN ORDINANCE  
AMENDING SECTION 2.03(1),  
GREEN BAY MUNICIPAL CODE,  
RELATING TO APPOINTMENT OF  
STANDING COMMITTEES

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Section 2.03(1), Green Bay Municipal Code, is hereby amended as follows:

2.03 **STANDING COMMITTEES.**

(1) APPOINTMENT OF. All committees shall be appointed by the ~~Mayor~~ **Council President, in consultation with the Council Vice President**, subject to confirmation by the Council, unless otherwise directed by the Council; and all standing committees shall be appointed at the first meeting after election. Each standing committee shall elect its chairman and vice chairman, without confirmation by the Common Council.

**SECTION 2.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 3.** This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Moved by Ald. Scannell, seconded by Ald. Thomas DeWane to refer the ordinance back to the Advisory Committee. Motion carried.

## ORDINANCES - THIRD READING

### GENERAL ORDINANCE NO. 4-15

#### AN ORDINANCE AMENDING SECTION 29.208, GREEN BAY MUNICIPAL CODE, RELATING TO PARKING REGULATIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following TWO-HOUR PARKING 7:00 AM – 7:00 PM MONDAY – FRIDAY zone:

ELIZA STREET, north side, from Clay Street to Roosevelt Street

**SECTION 2.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING zones:

CHESTNUT AVENUE, west side, from and including the cul-de-sac south of Dousman Street to Mather Street

NINTH STREET, south side, from a point 100 feet west of Ridge Road to a point 100 feet east of Ridge Road

**SECTION 3.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING zones:

CHESTNUT AVENUE, west side, from and including the cul-de-sac south of Dousman Street to James Street

MARY QUEEN ROAD, at the west terminus

**SECTION 4.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING BUS LOADING ONLY 7:00 AM – 4:00 PM SCHOOL DAYS zone:

NINTH STREET, south side, from a point 200 feet west of Ridge Road to a point 100 feet west of Ridge Road

**SECTION 5.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

NINTH STREET, south side, from a point 200 feet west of Ridge Road to a point 100 feet west of Ridge Road

**SECTION 6.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO STOPPING OR STANDING zone:

NINTH STREET, south side, from a point 100 feet west of Ridge Road to a point 100 feet east of Ridge Road

**SECTION 7.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 8.** This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 3rd day of March, 2015.

APPROVED:

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

Moved by Ald. Zima, seconded by Ald. Wery to adopt the ordinance.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: None. Motion carried.

GENERAL ORDINANCE NO. 5-15

AN ORDINANCE  
AMENDING CHAPTER 13-904,  
GREEN BAY MUNICIPAL CODE,  
REGARDING OUTDOOR STORAGE AND DISPLAY  
IN THE BUSINESS PARK (BP) DISTRICT  
(CORRECTING GENERAL ORDINANCE NO. 16-14)

(TA 14-06)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Section 13-904, Green Bay Municipal Code, is hereby amended as follows:

**13-904. Outdoor storage and display.**

**(a) Outdoor storage and display is permitted in the Business Park (BP) District, subject to the following standards.**

~~a.~~ **(1)** Outdoor storage areas shall not exceed 25% of the lot area and shall be contiguous.

~~b.~~ **(2)** A fence 90% impervious to sight is required to enclose all outdoor storage areas from view. The fence shall not exceed eight ft. in overall height and shall consist of wood, vinyl or masonry material.

~~c.~~ **(3)** No material/product may be stored higher than the required fencing.

~~d.~~ **(4)** A five-foot-wide landscaped area shall be provided along all fenced areas with ground cover, shrubs or trees planted at an average spacing of 30 ft. on center.

~~e.~~ **(5)** All outdoor storage areas shall be surfaced compliant with Chapter 13-1714.

~~f.~~ **(6)** No outdoor storage shall encroach within a required setback.

**(b) In the Light Industrial and General Industrial districts, outdoor storage shall be completely screened from any adjacent street, sidewalk, public walkway, public park, or residential property, in compliance with Chapter 13-1820, Site Plan Review. Outdoor sales and display areas shall be separated from any adjacent street, sidewalk, or public walkway by a low landscaped screen, in compliance with Chapter 13-1814, Site Plan Review.**

**SECTION 2.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.



**SECTION 3.** This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this 3rd day of March, 2015.

APPROVED:

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

Moved by Ald. Nennig, seconded by Ald. Moore to adopt the ordinance.

*Roll call:* Ayes: Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: None. Motion carried.

ZONING ORDINANCE NO. 1-15

AN ORDINANCE  
ZONING CERTAIN LAND GENERALLY LOCATED  
NORTH OF FINGER ROAD, WEST OF NORTHVIEW ROAD,  
SOUTH OF CATALINA DRIVE, AND EAST OF ERIE ROAD  
AS A PLANNED UNIT DEVELOPMENT DISTRICT  
(ZP 14-37)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Section 13.01, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development (PUD) District on the following described property:

BEGINNING AT THE WEST 1/4 CORNER OF SECTION 1, T23N-R21E; THENCE N00°26'02"E, 635.02 FEET ALONG THE WEST LINE OF THE SW1/4-NW1/4 OF SAID SECTION 1, THENCE S89°32'54"E, 983.85 FEET; THENCE N00°26'04"E, 690.00 FEET; THENCE S89°32'54"E, 1,664.20 FEET; THENCE S00°07'58"W, 1,079.77 FEET; THENCE S89°46'12"E, 400.00 FEET; THENCE N00°08'01"E, 180.00 FEET; THENCE N89°46'07"W, 100.00 FEET; THENCE N00°09'51"W, 239.43

FEET; THENCE N81°16'35"E, 552.07 FEET; THENCE N08°43'25"W, 253.00 FEET; THENCE N89°45'35"E, 524.42 FEET; THENCE S00°00'09"W, 994.57 FEET; THENCE S00°04'03"E, 1,770.48 FEET; THENCE S89°55'51"W, 1,004.06 FEET; THENCE N00°07'58"E, 434.18 FEET; THENCE S89°55'51"W, 334.10 FEET; THENCE S00°07'58"W, 916.33 FEET; THENCE N89°32'54"W, 604.18 FEET; THENCE S00°05'12"W, 371.43 FEET; THENCE N87°22'26"W, 303.29 FEET; THENCE N00°07'04"E, 329.98 FEET; THENCE N89°05'24"W, 169.93 FEET; THENCE S00°07'04"W, 329.98 FEET; THENCE N87°23'43"W, 251.57 FEET; THENCE N00°28'38"E, 305.90 FEET; THENCE N88°04'59"W, 287.60 FEET; THENCE N08°57'38"W, 465.99 FEET; THENCE N77°25'18"W, 248.99 FEET; THENCE S29°15'01"E, 163.87 FEET; THENCE 65.32 FEET ALONG THE ARC OF A 55 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS S26°43'13"W, 61.53 FEET; THENCE N78°53'21"W, 382.13 FEET; THENCE 129.88 FEET ALONG THE ARC OF A 55 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS N52°44'23"W, 101.74 FEET; THENCE N30°23'35"W, 180.30 FEET; THENCE N15°59'51"W, 397.37 FEET; THENCE N88°55'28"W, 119.75 FEET TO THE WEST LINE OF THE NW1/4-SW1/4 OF SECTION 1, T23N- R21E; THENCE N00°06'09"E, 1,304.09 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.

Parcel Numbers: 21-10, 21-11, 21-11-1, 21-12, 21-12-1, 21-13-1, 21-16-1-5,  
21-17, 21-20, 21-21-A, 21-4

Parcel contains 11,471,961.6 square feet / 263.36 acres  
Parcel is subject to easements and restrictions of record

**SECTION 2.** This ordinance is enacted pursuant to Wis. Statutes Sections 62.23 and 66.1027. Its purpose is to allow the optional development and redevelopment of land in Green Bay consistent with the design principles of traditional neighborhoods.

- A. INTENT. The intent the PUD is to develop the subject area with elements of a traditional neighborhood, these themes include:
1. Is compact and is designed for the human scale.
  2. Provides a mix of uses, including residential, commercial, civic, and open space uses in close proximity to one another within the neighborhood.
  3. Provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and incomes.
  4. Incorporates a system of relatively narrow, interconnected streets with sidewalks, as well as access to bicycle and transit routes; offering multiple routes for motorists, pedestrians, and bicyclists and provides for the connections of those streets to existing and future developments.
  5. Incorporates significant environmental features into the design.
  6. Is consistent with the City of Green Bay Comprehensive Plan.

- B. APPLICABILITY. This ordinance applies as an alternative set of standards for development or redevelopment on sites of 5 acres or more if it is within the Urban Service or Urban Expansion Districts and is contiguous to existing development and 15 acres or more if it is within the Urban Service or Urban Expansion Districts and is noncontiguous to existing development.
- C. INTERPRETATION. Development shall be planned, reviewed, and carried out in conformance with all municipal, state, and other laws and regulations. However, if there is a conflict between the provisions of this subchapter and other provisions of the zoning or subdivision sections of the Green Bay Municipal Code, this subchapter shall take precedence.

**SECTION 3.** Pursuant to Section 13-1900, et seq., Green Bay Municipal Code, as they apply, the following conditions are imposed:

- A. PERMITTED, CONDITIONAL, AND ACCESSORY USES. The only uses that may be established and/or maintained on the subject property, in conformance with Exhibit D – Grandview Place Land Use Plan, are as follows:
1. Permitted Uses: In order to achieve the proximity necessary to make neighborhoods walkable, it is important to mix land uses. A traditional neighborhood development shall consist of the following components: a residential area, a mixed-use area, and open space, as specified below.
    - a. Residential areas: The PUD shall include a residential area in which the following uses are permitted.
      - (1) Single-family detached dwellings.
      - (2) Multifamily dwellings, including senior housing, at a density of at least 10 and no more than 20 units per net acre.
      - (3) Required mix. A minimum of two housing types from this list must be present in the PUD. Single-family detached dwellings shall constitute a maximum of 70 percent of the dwelling units.
    - b. Mixed-use areas: The PUD shall include a mixed use area containing commercial, civic, residential, and open space uses as identified below. The total land area devoted to nonresidential development, including ground floor commercial or office uses, civic buildings, and parking areas, shall not exceed 25 percent of the gross acreage of the PUD.
      - (1) Commercial Uses:
        - A. Food services (grocery stores, butcher shops, bakeries, and other specialty food stores, ice cream, candy shops, and restaurants, not including bars, taverns, and similar uses).
        - B. General retail.

- C. Services, such as daycare centers, music, dance or exercise studios, offices, including professional and medical offices, barber, hair salon, dry cleaning, repairs of small goods, such as shoes, electronics, or similar items.
    - D. Accommodations, including bed and breakfast establishments, small hotel, or inn.
  - (2) Residential uses, including those listed above, with the exception of single-family detached dwellings and also including the following:
    - A. Residential units located above or to the rear of commercial uses.
    - B. Live-work units that combine a residence and workplace.
  - (3) Civic or institutional uses, including the following:
    - A. Municipal offices, fire and police stations, libraries, museums, community meeting facilities, and post offices.
    - B. Transit shelters.
    - C. Places of worship.
    - D. Educational facilities.
  - (4) Open space uses:
    - A. Central square.
    - B. Neighborhood park.
    - C. Playground.
    - D. Natural/open space area.
- 2. Conditional Uses: The following uses may be established with approval of a conditional use permit:
  - a. Single-family attached dwellings
  - b. Community living arrangements and assisted living facilities. The density and housing type shall be determined based on the findings for the conditional-use permit.
  - c. Commercial uses, identified above, greater than 10,000 square feet.
  - d. Commercial uses with drive-through facilities.
- 3. Accessory Uses: The only accessory uses that may be established and/or maintained on the subject property, in conformance with permitted uses listed above, are as follows:
  - a. Residential areas: Chapter 13-600 Section 2, Green Bay Municipal Code.
  - b. Mixed-use areas: Chapter 13-700 Section 2 uses and standards listed under the Neighborhood Commercial (NC) District, Green Bay Municipal Code.
- 4. Open Space:
  - a. At least 20 percent of the gross acreage of the PUD shall be designated as open space, which may include undevelopable areas,

such as steep slopes and wetlands and stormwater detention and retention basins. Open space areas may include:

- (1) Environmental corridors, greenways.
  - (2) Protected natural areas.
  - (3) Neighborhood and community parks, squares, plazas, and playing fields.
  - (4) Streams, ponds, and other water bodies.
  - (5) Open spaces do not include required setback areas and rights-of-way but may include (1)-(4) above.
- b. Common open space. At least 25 percent of the open space area must be common open space available for public use. At least 90 percent of all dwellings shall be located within one-half mile of such common open space.
  - c. Conservancy and open space areas shall be dedicated to the City at the time of platting.

B. DIMENSIONAL AND LOT AREA REQUIREMENTS. The following dimensional and area requirements shall apply to all lots within the development based on the land use plan listed in Exhibit D.

1. Block and lot size diversity. Street layouts should provide for perimeter blocks that are generally in the range of 200-400 feet deep by 400-800 feet long. A variety of lot sizes should be provided to facilitate housing diversity and choice and meet the projected requirements of people with different housing needs.
2. Lot widths. Lot widths should create a relatively symmetrical street cross-section that reinforces the public space of the street as a simple, unified public space. Similar lot sizes and housing types should generally be located on opposite sides of a street.

### 3. Dimensional Standards.

	Min. lot size	Min. lot width	Front yard setback k	Rear yard setback a	Side yard setback b, e	Height d	Max Impervious Surface
			Min - Max	Minimum	Minimum	Min - Max	
Single-family detached	5,000 SF	50	10 – 25 <b>35</b>	25	6 (two) or 10 (one – ZLL)	1 – 2.5 stories / 35'	60%
Two-family/attached residences	2,000 SF/unit	25 per unit	10 – 25	25	10 (end units)	1 – 2.5 stories / 35'	60%
Multifamily residences	1,500/unit, min 4,000 SF	80	5 - 25	15	10	2-4 stories / 45'	70%
Nonresidential or mixed use	5,000	50	0 - 10	n/a	6 <sup>c</sup>	2-4 stories / 45'	80%
Civic (institutional, rec.) buildings	5,000	50	0 - 25	n/a	10	2-4 stories / 45'	80%

Notes:

- Where an alley is present, half of the alley's right-of-way width shall be counted toward the rear setback.
- A minimum side yard setback of 6 feet shall be provided for single-family detached dwellings or a single side yard of 10 feet for semi-detached single-family dwellings. A minimum side yard setback of 10 feet shall be provided for end-unit attached dwellings. For semi-detached single-family dwellings, a reciprocal access easement shall be recorded for both lots. All semi-detached single-family dwellings, townhouses, and other attached dwellings shall have pedestrian access to the rear yard through means other than the principal structure.
- No side yards are required along interior lot lines, except as otherwise specified in the building code, except that if walls of structures facing such interior lot lines contain windows or other openings, yards of not less than six (6) feet shall be provided. Side and rear yards of at least

six (6) feet shall be required when a nonresidential use adjoins a side yard of a residential property.

- d. See Chapter 13-1429 (1), Green Bay Municipal Code, for exceptions to maximum height.
- e. Corner properties: The side façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street. If no structure exists on the adjacent property, no less than half of the front setback applies.
- f. Multifamily and commercial buildings or a portion of such buildings shall be oriented to the public right of way with parking located in the rear or side yard to ensure the uses are integrated into the block structure.
- ~~g. Townhomes must be rear or alley loaded with no driveways accessing a public street.~~
- g. Single family detached lots greater than 7,500 square feet shall have a maximum impervious surface coverage of 50%.

4. Standards for garages and other accessory structures: Garages may be placed on a single-family detached residential lot either within the principal building or an accessory building, meeting the following requirements:

- a. Attached accessory structures shall be consider attached and integral part of the principal structure when it is connected by an enclosed passage way. Such structures are subject to Section 13-615(b), Green Bay Municipal Code.
- b. Detached accessory structures shall be permitted in residential districts in accordance with the Section 13-615(c), Green Bay Municipal Code.  
~~An attached garage shall be recessed a distance of at least 5 feet behind the primary facade of the house.~~
- c. All garages shall be set back 20' from the public right-of-way.**

C. ARCHITECTURE STANDARDS. A variety of architectural and design features and building materials is encouraged to give each building or group of buildings a distinct character, as well as sensitivity to the surrounding context.

- 1. Commercial Use building height. To create a visually unified streetwall, buildings should be no more than 30 percent taller or shorter than the average building height on the block.
- 2. Entries and facades.
  - a. The architectural features, materials, and the articulation of a facade of a building shall be continued on all sides visible from a public street.
  - b. The front or principal facade of the principal building on any lot shall face a public street and shall not be oriented to face directly toward a parking lot.
  - c. Buildings of more than 30 feet in width shall be divided into smaller regular increments through articulation of the façade. This can be

achieved through variations in materials, detailing, roof lines, and elements, such as arcades, awnings, windows, and balconies.

- d. The ground level of any multi-story, commercial, and mixed-use structure shall be visually distinct from the upper stories through the use of an intermediate cornice line, sign band, awning or arcade, or a change in building materials, texture, or detailing.
  - e. Porches, pent roofs, roof overhangs, hooded front doors, or similar architectural elements shall be used to define the front entrance to all residences or multifamily buildings.
  - f. No single family detached structure shall have the same front façade as an adjoining parcel.
3. Residential uses at street level should generally be set back far enough from the street to provide a private yard area between the sidewalk and the front door. Landscaping, steps, porches, grade changes, and low ornamental fences or walls may be used to provide increased privacy and livability for first floor units. A list of permitted residential architectural styles is listed under exhibit A.
  4. For commercial or mixed-use buildings, a minimum of 30 percent of the front facade on the ground floor shall be transparent, consisting of window or door openings allowing views into and out of the interior.
  5. Additions to existing structures shall maintain setbacks, building proportions, roof and cornice lines, façade divisions, rhythm and proportion of openings, building materials, and colors that are similar to and compatible with the existing structure.
  6. Materials: A 30% mix of materials is required for the front facade of residential structures. Acceptable building façade materials include:
    - a. Concrete (including precast concrete with prior approval of sample)
    - b. Glass
    - c. Masonry (brick as well as decorative block with prior approval of block sample)
    - d. Metals
    - e. Stone
    - f. Tile
    - g. Vinyl
    - h. Wood with prior approval of sample
    - i. Other materials, such as cementitious sidings, stucco and polyurethane or PVC detailing, masonry veneer shall only begin at the first floor exterior window sill plane and continue to the roofline.
  7. Commercial street façade should have clear distinction between the “storefront” on the first floor and the floors above for the mixed use commercial and light industrial uses of this district.
  8. Any signage, lighting and awnings must be integrated into the design.
  9. Second street facades (these will occur on corner lots and lots adjacent to dedicated park space) should be developed to a similar level of detail as the “address” elevation, though the overall emphasis of the “address” elevation should be greater than the second street facades.



10. Functional entries are allowed and encouraged on second street facades.
11. Side façade at adjoining property lines may be “blank” and must meet fire separation codes.
12. Rear façade should also use good design principles.
  - a. Entries should be properly emphasized to match use of entry (customer entry more emphasized than a “receiving” entry).
  - b. Some differentiation should occur between the first floor and the upper floors.
  - c. Rear façade should correlate to the front elevation.

D. SITE DESIGN STANDARDS.

1. Lighting. Street lighting shall be provided on both sides of all streets at intervals of no greater than 75 feet. Generally, smaller lights, as opposed to fewer high-intensity lights, should be used. Street lighting design shall meet the minimum standards developed by the Department of Public Works. Exterior lighting shall be directed downward in order to reduce glare onto adjacent properties, per Chapter 5, General Regulations.
2. Exterior signage. Sign number, size, height, and location in the PUD shall meet the requirements of the Neighborhood Center District. A comprehensive sign program shall be developed for the entire PUD that establishes a uniform sign theme. Signs shall share a common palette of sizes, shapes, materials, and lettering styles.
3. Landscaping and screening standards.
  - a. Overall composition and location of landscaping shall complement the scale of the development and its surroundings. In general, larger well-placed contiguous planting areas shall be preferred to smaller disconnected areas.
  - b. Height and opacity. Where screening is required by this ordinance, it shall be at least 3 feet in height unless otherwise specified. Required screening shall be at least 50 percent opaque throughout the year.
  - c. Components. Required screening shall be satisfied by one or a combination of the following:
    - (1) A decorative fence not less than 50 percent opaque behind a continuous landscaped area.
    - (2) A masonry wall.
    - (3) A hedge.
    - (4) Mixed use and commercial building foundation landscaping shall be in accordance with Section 13-1823, Green Bay Municipal Code.
4. Street trees. Street trees shall be required in accordance with Chapter 14, Green Bay Municipal Code. Trees should preferably be located within a planting strip between the sidewalk and the curb, within a landscaped median strip, or in tree wells installed in pavement or concrete.

E. PARKING. Parking areas for shared or community use should be encouraged. In addition:

1. In the mixed-use area, any parking lot shall be located at the rear or side of a building. If located at the side, screening shall be provided, as specified in Chapter 13-1432, Green Bay Municipal Code.
2. A parking lot or parking garage shall not be located adjacent to or opposite a street intersection.
3. In the mixed-use area, a commercial use shall provide one parking space for every 300 square feet of gross floor area or portion thereof. Parking may be provided in shared or community lots within 1,000 feet of the site.

4. Shared parking and cross access easements are highly encouraged to better facilitate movement throughout the development area.

5. In the mixed-use and residential areas, 1.5 off-street parking spaces shall be provided for each dwelling unit, with the exception of senior housing and secondary dwelling units, which shall provide one space per unit, and live-work units, which shall provide two spaces per unit.
6. On-street parking directly adjacent to a building may apply toward the minimum parking requirements for that building.
7. Surface parking lots or garages shall provide at least one bicycle parking space for every 10 motor vehicle parking spaces. Bicycle parking shall consist of a rack of acceptable design in a well-lit location, preferably sheltered.
8. Service access. Direct access to service and loading dock areas for service vehicles should be provided, while avoiding movement through parking areas to the greatest extent possible. Alleys may be used to provide service access.
9. Paving. Reduction of impervious surfaces through the use of interlocking pavers is strongly encouraged for remote parking lots or those used infrequently.
10. A preliminary development site and parking plan is included as Exhibits G-H.

F. LANDSCAPING AND PARKING MAINTENANCE. All parking and loading areas fronting public streets and sidewalks shall be landscaped in accordance with the requirements of Chapter 13-1800, Green Bay Municipal Code. All parking and loading areas abutting residential districts shall be landscaped in accordance with Chapter 13-1800, Green Bay Municipal Code. Parking area interior landscaping shall conform to the requirements of Chapter 13-1800, Green Bay Municipal Code. Parking area landscaping can include turf grass, native grasses, or other perennial flowering plants, vines, shrubs, or trees. Such spaces may also include architectural features, such as benches, kiosks, or bicycle parking.

G. LIGHTING. Lighting throughout the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-500 and further regulated as follows:

1. Parking lot lighting shall consist of sharp cut-off fixtures. Poles shall not exceed twenty-five (25') feet in height.
2. Pedestrian lighting for walkways shall not exceed sixteen (16') feet overall measured from ground level.
3. Lighting plan indicating fixtures, placement, and height shall be included as part of the site plan submittal process and approved by the Community Development Review Team (CDRT).

H. STORM WATER MANAGEMENT AND GRADING PLAN. The design and

development of the PUD should minimize off-site stormwater runoff, promote onsite filtration, and minimize the discharge of pollutants to ground and surface water. Natural topography and existing land cover should be maintained/protected to the maximum extent practicable. New development and redevelopment shall meet the requirements of Chapter 30, Green Bay Municipal Code. A conceptual stormwater management plan and grading plan meeting the standards established by the City's Department of Public Works, Brown County, and the State of Wisconsin shall be submitted to and approved by the City prior to the issuance of building permits and shall be approved as part of the platting process in accordance with the phasing Exhibit F listed above.

A complete stormwater management plan for proposed Phase 1 listed on Exhibit F shall be submitted in accordance with the requirements of Chapter 30, Green Bay Municipal Code. A complete stormwater management plan for the remaining development area listed on Exhibit F shall be submitted in accordance with the requirements of Chapter 30, Green Bay Municipal Code, prior to any further platting or land divisions.

Any proposed amendments to the land use plan within the PUD described in Exhibit D as a result of the complete stormwater management plan shall be approved according to Section 3.D of this ordinance.

- I. REFUSE AND MECHANICALS. Screening of refuse materials and mechanicals shall meet the standards as set forth within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-1800.
- J. ACCESS AND CIRCULATION STANDARDS. Access and circulation for automobile and pedestrian traffic established through permanent access easements, and in substantial conformity with what is depicted on the attached Exhibit E. The attached circulation standards allow for multiple modes of transportation. They provide functional and visual links within the residential, mixed-use, and open space areas of the PUD and provide multiple connections to existing and proposed external development. The circulation standards provide for adequate traffic capacity and multiple connections to pedestrian and bicycle routes, including off-street bicycle or multi-use paths. The standards also control through traffic, limit lot access to streets of lower traffic volumes, and promote safe and efficient mobility through the PUD.
  1. Pedestrian circulation. Convenient pedestrian circulation systems that minimize pedestrian-motor vehicle conflicts shall be provided continuously throughout the PUD. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced. All streets, except for alleys, shall be bordered by sidewalks on both sides in accordance with the specifications listed in Table 14-2. The following provisions also apply:
    - a. Sidewalks in mixed use areas. Clear and well-lighted walkways at

least 5 feet in width shall connect all building entrances to the adjacent public sidewalk and associated parking areas.

- b. Disabled accessibility. Sidewalks shall comply with the applicable requirements of the Americans with Disabilities Act.
  - c. Crosswalks. Intersections of sidewalks with streets shall be designed with clearly defined edges. Crosswalks shall be well-lit and clearly marked with contrasting paving material at the edges or with striping.
2. Bicycle Circulation. Bicycle circulation shall be accommodated on streets and/or dedicated bicycle paths. Any existing or planned bicycle routes through the site shall be preserved or developed. Bicycle facilities may include off-street paths (generally shared with pedestrians and other non-motorized uses) and/or separate striped 4-foot bicycle lanes on streets. If a bicycle lane is combined with a parking lane, the combined width should be 14 feet.
3. Transit access. Where public transit service is available or planned, convenient access to transit stops shall be provided. Transit shelters, where provided, shall be well-lighted and placed in highly visible locations that provide security through surveillance.
4. Motor vehicle circulation. Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic calming features, such as “queuing streets,” curb extensions, traffic circles, and medians, may be used to encourage slow traffic speeds.
5. Street hierarchy. Each street within a PUD shall be classified according to the following hierarchy:
  - a. Arterial streets should not bisect a PUD but may border a PUD.
  - b. Collector. This street provides access to mixed-use areas and is also part of the City’s major street network.
  - c. Subcollector. This street provides primary access to residential properties and connects streets of higher and lower function, and it may provide access to community facilities, such as schools.
  - d. Local street. This street provides primary access to residential properties.
  - e. Alley. This street provides primary access to residential garages and commercial parking areas. It is typically used where street frontages are narrow, where the primary street width is narrow and limited on-street parking is provided, or to provide delivery access and access to commercial parking.
6. Street Design. The following table is a guide to street design in the PUD. Street and right-of-way widths shall be reviewed by City staff as part of the concept plan review and shall be approved as part of the platting process in accordance with the phasing exhibit listed above.
7. Concrete sidewalks. Concrete sidewalks shall be installed on both sides of all public streets within this PUD. Sidewalks shall be installed at the time the lots are developed and prior to receiving an occupancy permit or as directed by the Common Council of the City of Green Bay. Once a block is

built up with 50% of structures, the Common Council shall order in the sidewalks to complete the block network.

	<b>Collector</b>	<b>Sub-Collector</b>	<b>Local Street</b>	<b>Alley</b>
Typical Average Daily Trips	750 or more	250 – 750	Less than 250	N/A
Right-of-way	76-88 feet	48 -72 feet	50 - 60 feet	12-16 feet
Auto travel lanes	2 or 3 @ 12 feet	2 @ 10 feet	2 @ 10'	2 @ 8 feet or 1 @ 12 feet (1-way)
Bicycle lanes (may be required where needed)	6 feet next to parking lane	4 feet without parking or 6 feet next to parking lane	None	None
Parking	Both sides, 9 feet	One or both sides, 9 feet	One or both sides, 9 feet	None (access to drives and garages)
Curb and gutter	Required	Required	Required	Not required
Planting strips	Both sides, min. 6 feet	Both sides, min. 6 feet	Both sides, min. 6 feet	None
Sidewalks	Both sides @ 5 feet min.	Both sides @ 5 feet	Both sides @ 5 feet	None

- K. SUBDIVISION OF LAND. If the PUD involves the subdivision of land as defined in the subdivision ordinance, the applicant shall submit all required land division documents in accordance with the requirements of the Chapter 14, Green Bay Municipal Code, and Wisconsin Statutes Chapter 236. If there is a conflict between the design standards of the subdivision ordinance and the design guidelines of this ordinance, the provisions of this ordinance shall apply.
- L. OWNERSHIP AND MAINTENANCE OF PUBLIC SPACE. Provisions shall be made for the ownership and maintenance of streets, squares, parks, open space, and other public spaces in a PUD by dedication to the City or management by an entity, such as a homeowners association or neighborhood association approved by the Common Council.
- M. PROPOSED SCHEDULE OF DEVELOPMENT PHASING. The section allows for phased construction with the knowledge that subsequent phases will be developed consistently with earlier phases and under the review of the Planning Commission in accordance with the provisions of Chapter 13, Green Bay Municipal Code. Phasing of this PUD shall be permitted, provided that each individual phase is designed and developed to exist as an independent unit and that the construction and improvement of common open space and site amenities shown on the development plan proceeds at the same rate as



the construction of dwellings and other permitted land uses. Any violation of this provision shall authorize the City Council to hold a public hearing to review the status of the PUD and impose any remedies it deems appropriate, including, but not limited to, revocation of permits, issuance of construction orders, or issuance of citations for failure to comply with such orders.

The applicant must submit to the Planning Department for review a Final Development Plan for each phase before development on it can begin. The Final Development Plan for each phase must include a written summary describing the following information.

1. Proposed subdivisions of land, including total number and type of dwelling units.
2. Planned utility improvements plan showing underground and above ground lines and structures for sanitary sewers, electricity, gas, telecommunications, etc.
3. A site plan, including proposed topographic contours at 2-foot intervals, with the following information:
  - a. The location existing and if know commercial and mixed use structures that will remain, with height and gross floor area noted.
  - b. The location and function of proposed open space.
  - c. The circulation system indicating pedestrian, bicycle, and motor vehicle movement systems, including existing and proposed public streets or rights of way; transit stops; easements or other reservations of land on the site; the location and dimensions of existing and proposed curb cuts, off street parking, and loading spaces, including service access for receiving and trash removal; sidewalks and other walkways.
  - d. Location of all trees, shrubs, and groundcover proposed or existing to remain on the site.
  - e. The location of street and pedestrian lighting, including lamp intensity and height.
  - f. If known, detailed elevations of all proposed commercial buildings and typical elevations of residential buildings. Scaled elevations should identify all signs; building materials; the location, height, and material for screening walls and fences, including outdoor trash storage areas; electrical, mechanical, and gas metering equipment; storage areas for trash and recyclable materials; and rooftop equipment.
4. Stormwater Management Plan as required by Chapter 30, Green Bay Municipal Code.
5. Ownership and maintenance of public space (see Section 3.N of this ordinance)
6. Any other information deemed necessary by the Zoning Administrator in order to evaluate plans.

N. AMENDMENTS TO PLANNED UNIT DEVELOPMENT. Requested amendments to the PUD or to individual phases of the PUD as subject to the

following:

1. Minor changes. Minor changes to the final plan adopted by the Plan Commission may be approved by the Planning Department, provided that the changes do not involve:
  - a. Increases or decreases of less than ten percent (10%) in the floor area of structures or number of dwelling units or the area designated as open space.
  - b. Changes to the street layout or circulation pattern that would eliminate a street or path segment or an intersection.
  - c. Changes to primary architectural style(s) as shown.
  - d. Alteration of any conditions attached or modifications to the conceptual plan made by the Common Council.
  - e. Any other changes that, in the opinion of planning staff, depart from the original concept or intent of the conceptual plan.
2. Major changes. A major change to a final plan shall require approval by a majority vote of all members of the Common Council.

**O. FINAL SITE PLAN APPROVAL.**

1. Following the adoption of this ordinance and prior to the issuance of building permits, the petitioner for single-family attached dwellings, ~~including duplexes, townhouses, rowhouses~~ shall receive approval of final site plans from the CDRT (Community Development Review Team).
2. Following the adoption of this ordinance and prior to the issuance of building permits, the petitioner for multifamily dwellings shall receive approval of final site plans from the Plan Commission.
3. **Following the adoption of this ordinance and prior to the issuance of building permits, the petitioner for duplexes, townhouses, and rowhouses shall receive approval of final site plans from the CDRT and Plan Commission as part of the conditional-use permit.**

**SECTION 4.** This PUD shall be recorded with any future plats or land divisions.

**SECTION 5.** The provisions of this ordinance, including, without limitation, the granting of a conditional-use permit and all obligations, conditions, restrictions and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property. All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

**SECTION 6.** Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit, and the plans identified therein, had been set forth in its entirety in the body of this ordinance.

**SECTION 7.** Unless stated above, the development must comply with all other regulations of the Green Bay Municipal Code.

**SECTION 8.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 9.** This ordinance supersedes any discrepancies between the standards herein and the Grandview Place Development Plan Report listed in exhibit A.

**SECTION 10.** In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

**SECTION 11.** If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

**SECTION 12.** The approval of this zoning is subject to:

- a. Road realignment for the proposed Rocky Arbor Trail listed in Exhibit J.
- b. Garage setback reduced from 10 feet to 5 feet.
- c. Townhomes permitted as a conditional-use.

**SECTION 13.** This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13.204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

NOTE-Due to a Protest Petition on file with the City Clerk, three-fourths of the members of the Council voting on the proposed change is required for adoption of this ordinance.

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to remove Zoning Ordinance No. 1-15 from the table.

*Roll call:* Ayes: Thomas DeWane, Tim DeWane, Nennig, Moore, Scannell, Wery, Steuer, Sladek. Noes: Wiezbiskie, Nicholson, Zima. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to hold and refer to Advisory to discuss results of the Planning meeting and bring back to the next available Council meeting. Motion carried.

Moved by Ald. Scannell, seconded by Ald. Steuer to adjourn at 8:23 P.M. Motion carried

Kris A. Teske  
Green Bay City Clerk